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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

COMMISSIONER OF INSURANCE FOR
FOR THE STATE OF NEVADA AS
RECEIVER OF LEWIS & CLARK RTC
RISK RETENTION GROUP, INC.,

Plaintiff,

vs.

IRONSHORE SPECIALTY INSURANCE
COMPANY; INDIAN HARBOR
INSURANCE f/k/a CATLIN INSURANCE
COMPANY, INC.; ILLINOIS NATIONAL
INSURANCE COMPANY; RSUI
INDEMNITY COMPANY; ENDURANCE
AMERICAN SPECIALTY INSURANCE
COMPANY; US RE CONSULTING
AGENCY SERVICES, INC., a Nevada corp.;
UNI-TER UNDERWRITING
MANAGEMENT CORP.; UNI-TER CLAIMS
SERVICES CORP.; U.S. RE
CORPORATION; LEWIS & CLARK LTC
RISK RETENTION GROUP INC., a Nevada
corporation; TAL PICCIONE, an individual;
DOES 1 through 100, and each of them,
inclusive; ROE COMPANIES 1 through 100,
and each of them, inclusive,

Defendants.

Case No. 2:25- cv-00789-ART-EJY
Hon. Anne R. Traum
Notice of Removal Filed May 6, 2025

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO EXTEND
DEADLINE FOR DEFENDANT RSUI
INDEMNITY COMPANY'S
RESPONSIVE PLEADING**

(FIRST REQUEST)

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**JOINT STIPULATION AND [PROPOSED] ORDER TO EXTEND
RESPOND DATE OF RSUI INDEMNITY COMPANY (FIRST REQUEST)**

Plaintiff Commissioner of Insurance for the State of Nevada (“Plaintiff”) and Defendant, RSUI Indemnity Company (“RSUI”) (collectively the “Parties”) hereby stipulate, by and through their respective counsel of record, and subject to the Court’s approval, as follows:

1. Plaintiff filed the Complaint in Nevada state court on December 30, 2024 (ECF #1-1) and RSUI was served with the Complaint, through the Nevada’s Department of Business and Industry, Division of Insurance, on April 17, 2025.

2. A notice of removal was filed in this action on May 6, 2025 (ECF #1).

3. RSUI requires additional time to respond to the Complaint, beyond its current May 18, 2025, deadline to respond.

4. The Parties agree that good cause exists for this extension. The Parties further agree that, pursuant to LR IA 6-1, excusable neglect exists for the Parties’ untimely stipulation because of the delays associated with RSUI identifying and engaging local counsel to defend this action while its lead defense counsel prepares to submit an application to practice before the Court *pro hac vice*. The Parties agree that they are not otherwise prejudiced by this extension.

5. Pursuant to a joint stipulation between Plaintiff and Defendant Illinois National Insurance Company (“Illinois National”) [Doc. 4] the Court entered an order on May 12, 2025, extending Illinois National’s response date to June 12, 2025 [Doc. 5].

6. The Parties agree, subject to the Court’s approval, to similarly extend until June 12, 2025, RSUI’s deadline to answer, move to dismiss, or otherwise respond to the Complaint.

7. This is RSUI’s first requested extension.

8. By entering into this stipulation Plaintiff does not waive, or intend to waive, any rights in this matter, including, without limitation, any and all rights related to Plaintiff’s ability

1 to seek remand of this matter to Eighth Judicial District Court ("State Court") in Nevada,
2 pursuant to 28 U.S.C. section 1447, or any other right or remedy, which Plaintiff expressly
3 reserves.
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5 **THE PARTIES HEREBY STIPULATE AND AGREE**, subject to the Court's
6 approval, that RSUI's deadline to answer, move to dismiss, or otherwise respond to the
7 Complaint is extended *nunc pro tunc* to June 12, 2025.
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9 DATED this 29th day of May 2025.

DATED this 29th day of May 2025.

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11 **WIRTHLIN & VERLAINE**

O'HAGAN MEYER, PLLC

12 /s/Brenoch R. Wirthlin

/s/Marcus Lee

13 Brenoch R. Wirthlin

Marcus J. Lee, ESQ.

Nevada Bar No. 15769

14 *Attorney for Plaintiff Commissioner of*
15 *Insurance for the State of Nevada*

John Orr, ESQ.

Nevada Bar No. 14251

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Attorneys for Defendant RSUI Indemnity Company

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19 **IT IS SO ORDERED:**


UNITED STATES MAGISTRATE JUDGE

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21 DATED: May 29, 2025
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